



Snohomish County

PLANNING & DEVELOPMENT SERVICES

M/S #604

## DETERMINATION OF NONSIGNIFICANCE

**Proponent:** Snohomish County Department of Planning & Development Services  
County Administration Building  
3000 Rockefeller Avenue, M/S 604  
Everett, WA 98201

**Description of Proposal:** Proposed ordinance to amend the Snohomish County Code titled:

REGULATING REVISIONS AFTER PRELIMINARY SUBDIVISION AND SHORT SUBDIVISION  
APPROVAL AND AMENDING SCC 30.41A.330 AND 30.41B.310

Proposed amendments:

These amendments modify SCC 30.41A.330 and SCC 30.41A.310 to add criteria for determining what constitutes a minor revision (subsection 2), major revision (subsection 3) and a new application (subsection 4). Under the proposed amendments, approved preliminary subdivisions and short subdivisions that propose a minor or major revision would be allowed to retain their original vesting date. Revisions to approved preliminary subdivisions and short subdivisions not considered minor or major would require a new application and are given a new vesting date. In addition, the amendments clarify that applications for revisions to approved preliminary subdivisions and short subdivisions apply to all subdivisions and short subdivisions, regardless of when the original subdivision or short subdivision application was submitted.

**Lead Agency:** Snohomish County Department of Planning & Development Services

**Threshold Determination:** The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) **IS NOT** required under RCW 43.21C.030(2)(c). This decision was made after review by Snohomish County of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by **August 30, 2012**, to the responsible official at the address listed below.

**Appeals:**

This DNS together with the subsequent legislative action by the County Council to amend the County Code may be appealed to the Central Puget Sound Growth Management Hearings Board. **THIS DNS MAY BE APPEALED ONLY WHEN SUCH APPEAL IS COMBINED WITH THE APPEAL OF THE UNDERLYING ACTION PURSUANT TO SCC 30.73.100. THE APPEAL MUST BE FILED WITHIN 60 DAYS OF THE PUBLISHED NOTICE OF THE NOTICE OF ACTION ISSUED SUBSEQUENT TO THE FINAL DECISION BY THE COUNTY.** The Notice of Action describing the final decision by the County to pursue or not pursue the proposed action will be published in the County's paper of record. Any appeal must be filed with

the Central Puget Sound Growth Management Hearings Board, at PO Box 40953 Olympia WA 98504-0953 within 60 days following publication in the paper, or as otherwise stated in the Notice of Action or provided by law.

**Responsible Official:** Clay White  
**Position/Title:** Director, Department of Planning & Development Services  
**Address:** 3000 Rockefeller Avenue, M/S #604  
Everett, WA 98201-4046

  
\_\_\_\_\_  
Clay S. White, Director

For further information, contact David Killingstad, Planning and Development Services, (425) 388-3311, x2215.

**Date Issued:** August 14, 2012  
**Date Published:** August 16, 2012

**Distribution:**

Washington State Department of Ecology	City of Granite Falls
DOE - SEPA register	City of Lake Stevens
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City of Sultan	City of Stanwood
City of Darrington	



Snohomish County

Planning & Development Services

## SNOHOMISH COUNTY ENVIRONMENTAL CHECKLIST

### Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

### Use of Checklist for Nonproject Proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

### **A. BACKGROUND**

1. Name of proposed project: Code amendment project:

REGULATING REVISIONS AFTER PRELIMINARY SUBDIVISION AND SHORT  
SUBDIVISION APPROVAL AND AMENDING SCC 30.41A.330 AND 30.41B.310

2. Name of applicant: **Snohomish County, Department of Planning & Development Services**
3. Address and phone number of applicant and contact person:

**David Killingstad, Principal Planner**  
**3000 Rockefeller, M/S 604**  
**Everett, WA 98201**  
**Phone: (425) 388-3311 extension 2215**  
**E-mail: [d.killingstad@co.snohomish.wa.us](mailto:d.killingstad@co.snohomish.wa.us)**

4. Date checklist prepared: **August 14, 2012**
5. Agency requesting checklist: **Snohomish County, Department of Planning & Development Services**
6. Proposed timing or schedule (including phasing, if applicable):  
**Planning Commission briefing: July 24, 2012**  
**Planning Commission public hearing: August 28, 2012**  
**County Council public hearing: To be determined**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

***This proposal is for a nonproject action with no directly related plans for future physical additions, expansions, or activities. In the future, the County will review all project-specific planning actions to ensure consistency with Comprehensive Plan policies, implementation of existing regulations, and compliance with SEPA.***

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

***None.***

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

***There currently are no known applications pending for governmental approvals of other proposals directly affecting the property covered by this proposal.***

10. List any government approvals or permits that will be needed for your proposal, if known.

***No government approvals or permits are required for this proposal. The Snohomish County Planning Commission will make a recommendation to the County Council.***

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information of project description.)

**Description of Proposal:**

***Amendments and additions are proposed to Snohomish County Code Title 30 SCC to modify SCC 30.41A.330 and SCC 30.41A.310 to add criteria for determining what constitutes a minor revision, major revision, and a new application. Under the proposed amendments, approved preliminary subdivisions and short subdivisions that propose a minor or major revision would be allowed to retain their original vesting date. Revisions to approved preliminary subdivisions and short subdivisions not considered minor or major would require a new application and are given a new vesting date. In addition, the amendments clarify that applications for revisions to approved preliminary subdivisions and short subdivisions apply to all subdivisions and short subdivisions, regardless of when the original subdivision or short subdivision application was submitted.***

***Amendments and the addition of new sections are proposed to Snohomish County Code (SCC) Title 30 as outlined in the following draft ordinance sections:***

Section 3. Amends SCC 30.41A.330 (Revisions after preliminary subdivision approval) to add criteria for determining what constitutes a minor revision, major revision, and a new application. Under the proposed amendments, approved preliminary subdivisions that propose a minor or major revision would be allowed to retain their original vesting date. Revisions to approved preliminary subdivisions not considered minor or major would require a new application and are given a new vesting date. In addition, the

amendments clarify that applications for revisions to approved preliminary subdivisions apply to all subdivisions, regardless of when the original subdivision application was submitted.

Section 4. Amends SCC 30.41A.310 (Revisions after preliminary subdivision approval) to add criteria for determining what constitutes a minor revision, major revision, and a new application. Under the proposed amendments, approved preliminary short subdivisions that propose a minor or major revision would be allowed to retain their original vesting date. Revisions to approved preliminary short subdivisions not considered minor or major would require a new application and are given a new vesting date. In addition, the amendments clarify that applications for revisions to approved preliminary short subdivisions apply to all short subdivisions, regardless of when the original short subdivision application was submitted.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

***This nonproject proposal affects lands located within the jurisdiction of Snohomish County.***

## **B. ENVIRONMENTAL ELEMENTS**

### **1. Earth**

- a. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other\_\_\_\_\_.

***Lands within the jurisdiction of Snohomish County include a variation of terrain such as flat, rolling, hilly, and steep slopes.***

- b. What is the steepest slope on the site (approximate percent slope)?

***Slopes in excess of 100% can be found within the jurisdiction of Snohomish County.***

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

***A range of soil types are found within the jurisdiction of Snohomish County.***

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

***Certain areas within Snohomish County have a history of surface instability associated with periods of heavy rainfall. Other areas have a history of more deep-seated instability associated with landslide activity.***

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

***As a nonproject action, no filling or grading is proposed. Any future site-specific development or land use proposal would be subject to a separate SEPA review, which would include review of any proposed grading or filling activity.***

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

***As a nonproject action, no erosion will occur as a direct result of this proposal. Any future site-specific development or land use proposal would be subject to a separate SEPA review, which would include review of any proposed clearing and construction that might result in erosion.***

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

***As a nonproject action, no impervious surface coverage will occur as a result of this proposal.***

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

***As a nonproject action, no erosion reduction or control measures are proposed or required. Future site-specific development or land use action would be subject to project level SEPA and regulatory review and would require the implementation of applicable county regulations to reduce or control erosion or other impacts to the earth.***

## **2. Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial woodsmoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

***As a nonproject action, no emissions to air will occur as a result of this proposal.***

- b. Are there any off site sources of emissions or odor that may affect your proposal? If so, generally describe.

***Not Applicable***

- c. Proposed measures to reduce or control emissions or other impacts to air, if any.

***As a nonproject action, no measures to reduce or control emissions are required or proposed. Future site-specific development or land use action would be subject to project level SEPA and regulatory review and would require the implementation of applicable county regulations to reduce or control emissions or other impacts to air, if any.***

## **3. Water**

- a. Surface:  
1) Is there any surface water body on or in the immediate vicinity of the site (including year round and seasonal streams, saltwater, lakes, ponds,

wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

***There are several streams, seasonal streams, and bodies of water located within Snohomish County.***

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

***As a nonproject action, this proposal will not require any work in, or adjacent to the described waters. Future site-specific development or land use action would be subject to project level SEPA and regulatory review and would require the implementation of applicable county regulations to reduce or control activities near surface water bodies, if any.***

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

***As a nonproject action, no fill or dredge material will be placed or removed from surface water or wetlands.***

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

***As a nonproject action, no surface water withdrawals or diversion will be required.***

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

***Not Applicable as this nonproject action.***

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

***As a nonproject action, no discharges of waste materials to surface waters will occur as a result of this proposal.***

b. Ground:

- 1) Will groundwater be withdrawn, or will water be discharged to ground water? If so, describe the type of waste and anticipated volume of discharge.

***As a nonproject action, no groundwater will be withdrawn or discharged.***

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals.....; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

***As a nonproject action, no waste material will be discharged from septic tanks or other sources as a result of this proposal. Future development or land use actions that would likely result in discharges from stormwater runoff would be subject to project-level SEPA and regulatory review.***

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

***As a nonproject action no runoff will occur as a result of this proposal. Any future site-specific development or land use action proposal would be subject to a separate SEPA and development permit review, which would address runoff management.***

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

***As a nonproject action, waste materials will not enter ground or surface waters as a result of this proposal. Any future site-specific development or land use proposal would be subject to separate SEPA and development permit reviews, which would address the potential of waste materials entering ground or surface waters.***

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

***As a nonproject action, no additional measures are required for this proposal. Any future site-specific development or land use proposal would be subject to a separate SEPA and permit review, which would include the implementation of measures to reduce or control surface, ground, and runoff impacts.***

4. **Plants**

a. Check or circle types of vegetation found on the site:

- ☒ deciduous tree: alder, maple, aspen, other  
☒ evergreen tree: fir, cedar, pine, other  
☒ shrubs  
☒ grass  
☒ pasture  
☒ crop or grain  
☒ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other  
☒ water plants: water lily, eel grass, milfoil,  
☒ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

***As a nonproject action, no vegetation will be removed as a result of this proposal. Any future site-specific development proposal would be subject to a separate SEPA and critical areas review of any proposed vegetation removal or alteration.***

c. List threatened or endangered species known to be on or near the site.



***U.S Fish and Wildlife Services provides legal listing for ESA species under its jurisdiction.***

***National Marine Fisheries Service provides legal listing for ESA species under its jurisdiction.***

***Washington State Department of Fish and Wildlife provides legal listing for ESA species under its jurisdiction.***

***Washington State Department of Natural Resources provides legal listing of ESA species under its jurisdiction.***

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

***As a nonproject action, no measures to preserve or enhance vegetation are required for this proposal. Any future site-specific development or land use action proposal would be subject to a separate SEPA and permit review, which would include review of any proposed landscaping or measures to preserve or enhance vegetation on the site.***

## **5. Animals**

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: **hawks, heron, eagle, songbirds**, other: \_\_\_\_\_

mammals: **deer, bear, elk, beaver**, other: \_\_\_\_\_

fish: **bass, salmon, trout, herring, shellfish**, other: \_\_\_\_\_

- b. List any threatened or endangered species known to be on or near the site.

***U.S Fish and Wildlife Services provides legal listing for ESA species under its jurisdiction.***

***National Marine Fisheries Service provides legal listing for ESA species under its jurisdiction.***

***Washington State Department of Fish and Wildlife provides legal listing for ESA species under its jurisdiction.***

***Washington State Department of Natural Resources provides legal listing of ESA species under its jurisdiction.***

- c. Is the site part of a migration route? If so, explain.

***Yes. Wildlife species do migrate through the county, but as a nonproject action will not impact migratory species.***

- d. Proposed measures to preserve or enhance wildlife, if any:

***As a nonproject action, no measures to preserve or enhance wildlife are required or proposed. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to preserve or enhance wildlife, if any.***

## **6. Energy and Natural Resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

***As a nonproject action, energy will not be consumed.***

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

***As a nonproject action, there will be no impact on solar energy as a result of this proposal.***

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

***As a nonproject action, energy conservation features are not applicable to this project. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to reduce or control energy impacts, if any.***

## **7. Environmental Health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

***As a nonproject action, no environmental health hazards will result as a consequence of this proposal.***

- 1) Describe special emergency services that might be required.

***As a nonproject action, no special emergency services are required by this proposal.***

- 2) Proposed measures to reduce or control environmental health hazards, if any:

***As a nonproject action, no measures to reduce or control environmental health hazards are required for this proposal. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to reduce or control environmental health hazards, if any.***

- b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, aircraft, other)?

***This nonproject action will not be effected by noise.***

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

***This nonproject action will not generate noise.***

- 3) Proposed measures to reduce or control noise impacts, if any:

***As a nonproject action, no measures to reduce or control noise impacts are required or proposed. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to reduce or control noise impacts, if any.***

**8. Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties?

***This nonproject action pertains to land within Snohomish County's jurisdiction that conducts a wide range of activities.***

- b. Has the site been used for agriculture? If so, describe.

***This nonproject action pertains to property that may have been or currently being used for agricultural production.***

- c. Describe any structures on the site.

***Not applicable to this nonproject action.***

- d. Will any structures be demolished? If so, what?

***As a nonproject action, no structures will be demolished as a result of this proposal.***

- e. What is the current zoning classification of the site?

***This nonproject action pertains to all zoning classifications within the jurisdiction of Snohomish County.***

- f. What is the current comprehensive plan designation of the site?

***This nonproject action pertains to all land use designations within the jurisdiction of Snohomish County.***

- g. If applicable, what is the current shoreline master program designation of the site?

***Not Applicable.***

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

***Not Applicable.***

- i. Approximately how many people would reside or work in the completed project?

***As a nonproject action, no people would reside or work on the site as a result of this proposal.***

- j. Approximately how many people would the completed project displace?

***As a nonproject action, no people would be displaced as a result of this proposal.***

- k. Proposed measures to avoid or reduce displacement impacts, if any:

***As a nonproject action, no measures to avoid or reduce displacement impacts are required by this proposal.***

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

***The proposed code amendments are compatible with the land use plans and regulations.***

#### **9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.

***As a nonproject action, no housing units would be provided by this proposal.***

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

***As a nonproject action, no housing units would be eliminated by this proposal.***

- c. Proposed measures to reduce or control housing impacts, if any:

***As a nonproject action, no measures to reduce or control impacts to housing are required or proposed.***

#### **10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

***As a nonproject action, no structures are proposed.***

- b. What views in the immediate vicinity would be altered or obstructed?

***As a nonproject action, no views will be altered or obstructed as a result of this proposal.***

- c. Proposed measures to reduce or control aesthetic impacts, if any:

***As a nonproject action, no measures to reduce or control aesthetic impacts are required or proposed. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to reduce or control aesthetic impacts, if any.***

#### **11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

***As a nonproject action, no light or glare will occur as a result of this proposal.***

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

***As a nonproject action, no light or glare that could be a safety hazard or interfere with views will result from this proposal. Any future site-specific development proposals will be subject to a separate SEPA and applicable permit reviews, which will include review of light and glare from the development.***

- c. What existing off-site sources of light or glare may affect your proposal?

***Not Applicable***

- d. Proposed measures to reduce or control light and glare impacts, if any:

***As a nonproject action, no measures to reduce or control light and glare impacts are required or proposed. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to reduce or control light and glare impact, if any.***

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

***Hunting, fishing, bird watching and many other recreational opportunities exist throughout Snohomish County.***

- b. Would the proposed project displace any existing recreational uses? If so, describe.

***This nonproject action will not displace any existing recreational uses.***

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

***As a nonproject action, no measures to reduce or control impacts on recreation are proposed or required. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to reduce or control impacts on recreation, including recreation opportunities to be provide by the project or applicant, if any.***

## **13. Historic and Cultural Preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to this site? If so, generally describe.

***Not applicable to this nonproject action.***

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

***Not applicable to this nonproject action.***

- c. Proposed measure to reduce or control impacts, if any:

***As a nonproject action, no measure to reduce or control impacts are proposed or required. Any future site-specific development proposal would be subject to a separate SEPA review, which would include review and implementation of measures to reduce or control impacts, if any.***

#### **14. Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

***Various highways and several state routes and local streets service Snohomish County.***

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

***Not applicable to this nonproject action.***

- c. How many parking spaces would the completed project have? How many would the project eliminate?

***As a nonproject action, no parking spaces are proposed or required. Future development must meet the minimum parking requirements as mandated by Chapter 30.26 of the Snohomish County Code.***

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? if so, generally describe (indicate whether public or private).

***As a nonproject proposal, new transportation improvements are not required or proposed. Future development will be reviewed for impacts to the roadway system and improvements to existing roadways may be required on a project-by-project basis.***

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

***Not Applicable***

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

***This nonproject action will not directly generate any vehicular trips per day. Any future development or land use proposal would be subject to a separate SEPA and permit review, which would include review of traffic issues***

- g. Proposed measures to reduce or control transportation impacts, if any:

***As a nonproject action, no measures to reduce or control transportation are proposed or required. Any future site-specific development or land use action would be subject to a separate SEPA review, which would include and implementation of measures to reduce or control any transportation impacts.***

**15. Public Services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

***As a nonproject action, this proposal will not result in an increased need for public services. Site specific, project actions may affect services such as fire and police. These impacts will be reviewed during the project level permitting of the development.***

- b. Proposed measures to reduce or control direct impacts on public services, if any.

***As a nonproject action, no measures to reduce or control impacts on public services are proposed or required. Any future site-specific development or land use action proposal would be subject to a separate SEPA review, which would include review and implementation of measure to reduce or control any impacts on public services.***

**16. Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

***Not applicable to this nonproject action.***

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

***As a nonproject action, no utilities are proposed or required. Any future site-specific development or land use action proposal would need to provide electricity to serve the proposed development.***

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

  
Clay White, Director  
Planning and Development Services

**Date Published: August 16, 2012**

## OPTIONAL

### D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

***The proposal will not likely cause any increase in these types of discharges or emissions. As a nonproject action, no direct impacts will likely occur to water or air quality.***

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

***As a non project action the proposal is not likely to impact animals, fish, plants, or marine life.***

Proposed measures to protect or conserve plants, animals, fish or marine life are:

***As a nonproject action, there are no proposed measures to protect or conserve plants, animals or marine life. Future site-specific land activity would be subject to project-level environmental analysis and threshold determinations. If needed, mitigation measures to address impacts to plants, animals, fish, or marine life would be identified at that time.***

3. How would the proposal be likely to deplete energy or natural resources?

***The proposal would not likely deplete energy or natural resources.***

Proposed measures to protect or conserve energy and natural resources are:

***As a nonproject action, this proposal is not likely to deplete energy or natural resources. Future site-specific land activity would be subject to project-level environmental analysis and threshold determinations.***

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

***The proposed code amendments and additions would not likely affect environmentally sensitive areas.***

Proposed measures to protect such resources or to avoid or reduce impacts are: ***None.***

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?



***The proposals are not likely affect land and shoreline use. The County's Shoreline Management Plan regulates development in the shoreline designations. This proposal does not encourage incompatible land or shoreline uses.***

Proposed measures to avoid or reduce shoreline and land use impacts are:

***Additional project-specific environmental analyses and threshold determinations will be necessary for development of the site. For any future action related to a project specific land use impact, County staff would analyze the project specific land use impact implications and potentially require mitigation measures for any identified significant adverse impacts.***

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

***As a nonproject action, this proposal is unlikely to directly increase demands on transportation or public services.***

Proposed measures to reduce or respond to such demand(s) are:

***Future site-specific development or land use activity would be subject to project-level environmental analysis and threshold determinations. If needed, mitigation measures to address any increased demands on transportation or public services and utilities would be identified at the that time.***

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

***The proposal does not conflict with any law or requirements to protect the environment.***

Adopted:

Effective:

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ORDINANCE NO. 12-\_\_

REGULATING REVISIONS AFTER PRELIMINARY SUBDIVISION AND SHORT SUBDIVISION  
APPROVAL AND AMENDING SCC 30.41A.330 AND 30.41B.310

WHEREAS, pursuant to the Growth Management Act (GMA), chapter 36.70A RCW, the Snohomish County Council (County Council) has adopted the Snohomish County GMA Comprehensive Plan (GMACP) – General Policy Plan (GPP) for the unincorporated areas of Snohomish County (County); and

WHEREAS, on December 9, 2002, the County Council adopted title 30 of the SCC, entitled the Unified Development Code (UDC), containing regulations that guide development within the unincorporated areas of the County; and

WHEREAS, a recent land use appeal raised questions about the amount and kind of changes that can be approved as revisions to an approved preliminary subdivision while retaining the original vesting date; and

WHEREAS, the County Council discussed options for improving the regulations for revisions after preliminary subdivision approval to reduce the risk of future confusion for applicants and the public; and

WHEREAS, the County Council directed staff to consult with stakeholders about possible legislative changes that would either allow major revisions to approved preliminary subdivisions to retain the original vesting date if they meet specific criteria, or require a new vesting date for all revisions that do not meet the existing criteria for administrative approval; and

WHEREAS, the County Council discussed the policy issues raised by stakeholders in the outreach meetings and considered stakeholder input when deciding which option to forward to the planning commission for consideration.

WHEREAS, the Planning and Development Services Department (PDS) conducted early and continuous public participation and the proposed amendments have been broadly disseminated, and opportunities have been provided for written comments after effective notice; and

WHEREAS, pursuant to RCW 36.70A.106, a notice of intent to adopt this code amendment was transmitted to the Washington State Department of Commerce on August 15, 2012; and

WHEREAS, PDS briefed the Snohomish County Planning Commission (planning commission) on July 24, 2012; and

WHEREAS, the planning commission held a public hearing on \_\_, 2012, to receive public testimony concerning the proposed code amendments; and

1 WHEREAS, on \_\_\_\_\_, 2012, the planning commission deliberated on the proposed  
2 development regulations at an advertised public meeting; and  
3

4 WHEREAS, at the conclusion of its deliberations the planning commission voted to  
5 recommend that the County Council \_\_\_\_\_ the proposed development regulations, with  
6 amendments as enumerated in its recommendation letter dated \_\_\_\_\_, 2012; and  
7

8 WHEREAS, after proper notice, the County Council held a public hearing on \_\_\_\_\_, 2012,  
9 to consider the entire record, including the planning commission's recommendations on the full  
10 package of development regulations, and to hear public testimony on Ordinance No. \_\_\_\_\_; and  
11

12 WHEREAS, the County Council deliberated on the planning commission  
13 recommendations on \_\_\_\_\_, 2012.  
14

15 NOW, THEREFORE, BE IT ORDAINED:  
16

17 Section 1. The County Council makes the following findings:  
18

- 19 A. The foregoing recitals are incorporated herein as findings as if set forth in full.  
20  
21 B. There are many approved preliminary subdivisions that have been inactive for years and  
22 that could potentially become active again.  
23  
24 C. Requests for substantial revisions to approved preliminary subdivisions may become more  
25 common due to changes in ownership and other factors.  
26  
27 D. In addition to state laws and county codes, permitting practices and standards have  
28 changed over the past several years. This complicates the County's ability to consistently  
29 determine which standards should be applied when processing revisions to projects that  
30 were approved under regulations that have been changed.  
31  
32 E. Revisions to approved projects have the potential to impact communities and the  
33 environment in ways that are different from the original projects.  
34  
35 F. Applicants have a right to have permit applications processed under all the standards to  
36 which they are vested, but that right does not extend to subsequent applications for  
37 revisions.  
38  
39 G. The County Council expressly intends to apply these regulations to all requests for  
40 revisions, regardless of the dates of the original applications.  
41  
42 H. An application for a revision must be processed under the regulations for such a revision in  
43 effect on the date the completed application for a revision is received, not the date when  
44 the preliminary subdivision or short subdivision application was received. An application for  
45 a revision will retain the original vesting date only when it meets the applicable code  
46 requirements for a minor revision or a major revision. Any proposed change that does not  
47 meet the criteria for a minor or major revision would require a completely new preliminary  
48 subdivision or short subdivision application and would be assigned a new vesting date.  
49

- 1 I. The amendments to SCC 30.41A.330 and 30.41B.310 are in the best interest of the public  
2 health, safety, and welfare because they clarify the extent to which approved preliminary  
3 subdivisions and short subdivisions can be administratively revised and the extent to which  
4 they can be revised through the same process as, and under the same regulations as, the  
5 original applications. The amendments and revisions are consistent with and fulfill GPP  
6 Goal ED 2, Objective ED 2.A and Policy ED 2.A.1 because they provide increased fairness,  
7 clarity, coordination and understandability to the regulations, which will facilitate growth.  
8
- 9 J. The Washington State Attorney General is directed under RCW 36.70A.370 to advise state  
10 agencies and local governments on an orderly, consistent process that better enables  
11 government to evaluate proposed regulatory actions to assure that the actions do not result  
12 in the unconstitutional taking of private property or violate substantive due process  
13 guarantees.  
14
- 15 K. The Washington State Attorney General issued an advisory memorandum in December of  
16 2006 entitled Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property  
17 (the "2006 advisory memorandum") to help local governments avoid the unconstitutional  
18 taking of private property.  
19
- 20 L. The 2006 advisory memorandum was used by the County in objectively evaluating the  
21 regulatory changes proposed in this ordinance.  
22
- 23 M. The County Council considered and assessed potential constitutional issues related to the  
24 regulations proposed in this ordinance. These include, but are not limited to, the following  
25 questions: whether the proposed regulations would result in a permanent or temporary  
26 physical occupation of private property; whether the proposed regulations would deprive  
27 affected property owners of all economically viable uses of their properties; whether the  
28 proposed regulations would deny or substantially diminish a fundamental attribute of  
29 property ownership; whether the proposed regulations require a property owner to dedicate  
30 a portion of property or to grant an easement; and whether the proposed regulations would  
31 have a severe impact on the property owners' economic interests.  
32
- 33 N. The regulations proposed by this ordinance are reasonably related to and necessary for the  
34 advancement of the GMA's goal that applications for local government permits be  
35 processed in a timely and fair manner to ensure predictability.  
36
- 37 O. The requirements of the State Environmental Policy Act (SEPA), chapter 43.21C RCW,  
38 with respect to this non-project action have been satisfied through the completion of an  
39 environmental checklist and the issuance of a Determination of Non-significance (DNS) on  
40 August 16, 2012.  
41
- 42 P. This ordinance is adopted pursuant to the Snohomish County Charter and the Washington  
43 State Constitution, Article XI, Section 11.  
44

45 Section 2. Based on the foregoing findings, the County Council makes the following  
46 conclusions:  
47

- 48 A. The adoption of this ordinance complies with all procedural and substantive requirements  
49 of the GMA, SEPA and chapter 30.73 SCC.  
50

1 B. The code amendments and revisions adopted by this ordinance are consistent with the  
2 goals and requirements of the GPP.

3  
4 C. The regulations proposed by this ordinance do not result in an unconstitutional taking of  
5 private property for a public purpose.  
6

7 Section 3. Snohomish County Code Section 30.41A.330, added by Amended Ordinance  
8 02-064 on December 9, 2002, is amended to read:  
9

10 **30.41A.330 Revisions after preliminary subdivision approval.**

11 (1) Approved preliminary subdivisions may be revised prior to installation of improvements  
12 and recording of the final subdivision. The provisions in subsections (2) and (3) apply to all  
13 applications for revisions to approved preliminary subdivisions, regardless of the date of  
14 submittal of the preliminary subdivision application.

15 (2) ~~((Revisions that are generally consistent with the approved preliminary subdivision, which~~  
16 ~~do not alter conditions of preliminary approval and do not adversely affect public health, safety,~~  
17 ~~and welfare))~~ Minor revisions may be administratively approved by the department using the  
18 vesting date of the original approved preliminary subdivision; provided that any ((increase in trip  
19 generation or)) change in access points shall be reviewed pursuant to SCC 30.66B.075. ((Any  
20 other change shall require processing as a new preliminary subdivision.)) Relevant county  
21 departments and agencies shall be notified of any ((administrative)) minor revision. A minor  
22 revision does not extend the life or term of the preliminary subdivision approval, which shall run  
23 from the original date of preliminary approval. A minor revision must meet all of the following  
24 criteria when compared to the original preliminary subdivision application:

25 (a) No additional lots or units;

26 (b) No change in the boundary that increases the area of the project;

27 (c) No increase in trip generation;

28 (d) No change in access points that results in a change in trip distribution;

29 (e) No reduction in designated open space; and

30 (f) No change in proposed types of uses;

31 (3) Major revisions shall require processing through the same process as a new preliminary  
32 subdivision using the vesting date of the original approved preliminary subdivision. A major  
33 revision does not extend the life or term of the preliminary subdivision approval, which shall run  
34 from the original date of preliminary approval. A major revision must meet all of the following  
35 criteria when compared to the original preliminary subdivision application:

36 (a) No more than a twenty percent increase in the number of lots or units;

37 (b) No change in the boundary that increases the area of the project;

38 (c) No more than a twenty percent increase in trip generation;

39 (d) No more than a twenty percent reduction in designated open space; and

40 (e) No change in proposed types of uses;

41 (4) Any proposed change that does not meet the criteria for a minor revision or a major  
42 revision cannot be processed as a revision. Such a change requires a new application for a  
43 preliminary subdivision and a new vesting date.  
44

45  
46 Section 4. Snohomish County Code Section 30.41B.310, added by Amended Ordinance  
47 02-064 on December 9, 2002, is amended to read:  
48

49 **30.41B.310 Revisions after preliminary short subdivision approval.**  
50

1 (1) Approved preliminary short subdivisions may be revised prior to installation of  
2 improvements and recording of the final short subdivision. The provisions in subsections (2)  
3 and (3) apply to all applications for revisions to approved short subdivisions, regardless of the  
4 date of submittal of the short subdivision application.

5 ~~(2) ((Revisions that are generally consistent with the approved preliminary short subdivision,~~  
6 ~~which do not alter conditions of preliminary approval and do not adversely affect public health,~~  
7 ~~safety, and welfare))~~ Minor revisions may be administratively approved by the department using  
8 the vesting date of the original approved preliminary short subdivision. ((Any other change shall  
9 require processing as a new preliminary short subdivision application.)) Relevant county  
10 departments and agencies shall be notified of any ~~((administrative))~~ minor revision. A minor  
11 revision does not extend the life or term of the preliminary short subdivision approval, which  
12 shall run from the original date of preliminary approval. A minor revision must meet all of the  
13 following criteria when compared to the original preliminary short subdivision application:

14 (a) No additional lots or units;

15 (b) No change in the boundary that increases the area of the project;

16 (c) No increase in trip generation;

17 (d) No change in access points that results in a change in trip distribution;

18 (e) No reduction in designated open space; and

19 (f) No change in proposed types of uses;

20 (3) Major revisions shall require processing through the same process as a new preliminary  
21 short subdivision using the vesting date of the original approved preliminary short subdivision.  
22 A major revision does not extend the life or term of the preliminary short subdivision approval,  
23 which shall run from the original date of preliminary approval. A major revision must meet all of  
24 the following criteria when compared to the original preliminary short subdivision application:

25 (a) No more than a twenty percent increase in the number of lots or units;

26 (b) No change in the boundary that increases the area of the project;

27 (c) No more than a twenty percent increase in trip generation;

28 (d) No more than a twenty percent reduction in designated open space; and

29 (e) No change in proposed types of uses;

30 (4) Any proposed change that does not meet the criteria for a minor revision or a major  
31 revision cannot be processed as a revision. Such a change requires a new application for a  
32 preliminary short subdivision and a new vesting date.

33  
34 Section 5. Severability and savings. If any section, sentence, clause or phrase of this  
35 ordinance shall be held to be invalid by the Growth Management Hearings Board (Board) or  
36 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall  
37 not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this  
38 ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance  
39 is held to be invalid by the Board or unconstitutional by a court of competent jurisdiction, then  
40 the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall  
41 be in full force and effect for that individual section, sentence, clause, or phrase as if this  
42 ordinance had never been adopted.

43  
44 PASSED this \_\_\_\_ day of \_\_\_\_\_, 2012.

45 SNOHOMISH COUNTY COUNCIL  
46 Snohomish County, Washington

47  
48  
49  
50 \_\_\_\_\_  
51 Chair

ATTEST:

1  
2  
3  
4 \_\_\_\_\_  
5 Clerk of the Council

6 ( ) APPROVED  
7 ( ) EMERGENCY  
8 ( ) VETOED  
9

10  
11 DATE: \_\_\_\_\_  
12

13  
14 \_\_\_\_\_  
15 County Executive

16 ATTEST:  
17  
18

19 \_\_\_\_\_  
20  
21 Approved as to form only:  
22

23  
24 \_\_\_\_\_  
25 Deputy Prosecuting Attorney